

**Siegel, Jonathan (USANYE)**

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**From:** Siegel, Jonathan (USANYE)  
**Sent:** Thursday, November 2, 2023 11:55 AM  
**To:** Samidh Guha; Mehta, Hiral (USANYE)  
**Cc:** Moeser, Molly (CRM); Cooch, Peter (CRM); Sophia G. Kielar  
**Subject:** RE: Allam

Samidh,

As a matter of professional courtesy, we asked if you would consent to us filing a sur-reply. You said you did not consent. We will notify the Court that you do not consent, and as you requested, we will attach this email chain to make sure nothing is being mischaracterized.

We respectfully submit that we do not need your permission to make arguments to the Court. You have a position, and we have a position, and we will raise the issue to the Court so the Court can decide between the two positions. You can of course file a letter of your own responding to our motion explaining why you believe the Court should not grant us leave to file a sur-reply under these circumstances.

As for your request for more time, we think it is necessary to address this issue now as we are appearing before the Court on Tuesday and want to make sure the Court has accurate facts with respect to your pending motion. OIA is the office responsible for all extraditions. They have informed us of the facts that we provided you below. For Salamey, we have also provided a citation to his sentencing submission on the docket that makes plain that he was not extradited. You can choose to believe OIA or not, but the information they provided is not going to change with more time.

Finally, there is no possible middle ground here. The facts are the facts. We believe the Court has been provided inaccurate information in your most recent filings. That misinformation must either be corrected or not. The latter is untenable. As you have not indicated that you intend to correct the error yourself, we will make our motion and note your objection. Thank you.

Best,  
Jon

Jonathan Siegel  
Assistant United States Attorney  
Eastern District of New York  
271A Cadman Plaza East  
Brooklyn, New York 11201  
Tel: 718-254-6293  
Email: [Jonathan.Siegel@usdoj.gov](mailto:Jonathan.Siegel@usdoj.gov)

**From:** Samidh Guha <[sguha@guhapllc.com](mailto:sguha@guhapllc.com)>

**Sent:** Wednesday, November 1, 2023 6:00 PM

**To:** Siegel, Jonathan (USANYE) <[JSiegel@usa.doj.gov](mailto:JSiegel@usa.doj.gov)>; Mehta, Hiral (USANYE) <[HMehta@usa.doj.gov](mailto:HMehta@usa.doj.gov)>

**Cc:** Moeser, Molly (CRM) <[Margaret.Moeser@usdoj.gov](mailto:Margaret.Moeser@usdoj.gov)>; Cooch, Peter (CRM) <[Peter.Cooch@usdoj.gov](mailto:Peter.Cooch@usdoj.gov)>; Sophia G. Kielar <[skielar@guhapllc.com](mailto:skielar@guhapllc.com)>

**Subject:** [EXTERNAL] Re: Allam

You asked me if I would consent to a sur reply or advise the Court of the limited information that you provided to me. You gave me until the end of the day to respond. I answered both your questions - we do not consent and we may advise the Court as soon as we understand a better the information upon which you relied. Within minutes, you advised me that you are going to the Court.

So it is apparent that you only wanted my consent to file a sur reply or for me to blindly advance your position myself, without the benefit of any diligence or disclosures from your substantiating your information. The court is entitled to understand this backdrop to avoid any misperceptions.

But it is not a big deal. The most important thing, as a matter of simple fairness, is that you do not under any circumstances disclose any substantive information to the Court until you have permission to do so.

I can think through this more with the benefit of a day or two to see if there is middle ground to be had if that would help. I would suggest that it might instead of just escalating this issue so quickly.

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**From:** Siegel, Jonathan (USANYE) <[Jonathan.Siegel@usdoj.gov](mailto:Jonathan.Siegel@usdoj.gov)>

**Sent:** Wednesday, November 1, 2023 5:48:37 PM

**To:** Samidh Guha <[sguha@guhapllc.com](mailto:sguha@guhapllc.com)>; Mehta, Hiral (USANYE) <[Hiral.Mehta@usdoj.gov](mailto:Hiral.Mehta@usdoj.gov)>

**Cc:** Moeser, Molly (CRM) <[Margaret.Moeser@usdoj.gov](mailto:Margaret.Moeser@usdoj.gov)>; Cooch, Peter (CRM) <[Peter.Cooch@usdoj.gov](mailto:Peter.Cooch@usdoj.gov)>; Sophia G. Kielar <[skielar@guhapllc.com](mailto:skielar@guhapllc.com)>

**Subject:** RE: Allam

Hi Samidh,

Now I think I'm confused. Rather than attach a redacted email chain, which seems to defeat the purpose, can we just say that we gave you our view of the facts and asked if you consented to us filing a sur-reply and you said you did not consent? There is not much to characterize. If you want us to attach the whole chain, that's fine, but I don't think a redacted chain makes sense.

Best,  
Jon

Jonathan Siegel  
Assistant United States Attorney  
Eastern District of New York  
271A Cadman Plaza East  
Brooklyn, New York 11201  
Tel: 718-254-6293  
Email: [Jonathan.Siegel@usdoj.gov](mailto:Jonathan.Siegel@usdoj.gov)

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**From:** Samidh Guha <[sguha@guhapllc.com](mailto:sguha@guhapllc.com)>

**Sent:** Wednesday, November 1, 2023 5:30 PM

**To:** Mehta, Hiral (USANYE) <[HMehta@usa.doj.gov](mailto:HMehta@usa.doj.gov)>; Siegel, Jonathan (USANYE) <[JSiegel@usa.doj.gov](mailto:JSiegel@usa.doj.gov)>

**Cc:** Moeser, Molly (CRM) <[Margaret.Moeser@usdoj.gov](mailto:Margaret.Moeser@usdoj.gov)>; Cooch, Peter (CRM) <[Peter.Cooch@usdoj.gov](mailto:Peter.Cooch@usdoj.gov)>; Sophia G. Kielar <[skielar@guhapllc.com](mailto:skielar@guhapllc.com)>

**Subject:** [EXTERNAL] Re: Allam

I think you should, as a matter of propriety, exclude (by redaction or otherwise) the substance of the information that you are seeking leave to put before the court on sur reply. Otherwise, you are making his ruling on whether to grant your request or not moot.

I also do not understand your unwillingness to share information on which you seek to rely,

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**From:** Mehta, Hiral (USANYE) <[Hiral.Mehta@usdoj.gov](mailto:Hiral.Mehta@usdoj.gov)>

**Sent:** Wednesday, November 1, 2023 5:27:05 PM

**To:** Samidh Guha <[sguha@guhapllc.com](mailto:sguha@guhapllc.com)>; Siegel, Jonathan (USANYE) <[Jonathan.Siegel@usdoj.gov](mailto:Jonathan.Siegel@usdoj.gov)>

**Cc:** Moeser, Molly (CRM) <[Margaret.Moeser@usdoj.gov](mailto:Margaret.Moeser@usdoj.gov)>; Cooch, Peter (CRM) <[Peter.Cooch@usdoj.gov](mailto:Peter.Cooch@usdoj.gov)>; Sophia G. Kielar <[skielar@guhapllc.com](mailto:skielar@guhapllc.com)>

**Subject:** Re: Allam

Samidh:

Understood. We will include this correspondence in our motion for leave to file a sur-reply rather than characterizing your position. Thank you.

Hiral

Hiral D. Mehta

Acting Chief, Business & Securities Fraud

U.S. Attorney's Office, Criminal Division

(718) 812-1937 (c)

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**From:** Samidh Guha <[sguha@guhapllc.com](mailto:sguha@guhapllc.com)>

**Sent:** Wednesday, November 1, 2023 5:17:20 PM

**To:** Siegel, Jonathan (USANYE) <[JSiegel@usa.doj.gov](mailto:JSiegel@usa.doj.gov)>

**Cc:** Mehta, Hiral (USANYE) <[HMehta@usa.doj.gov](mailto:HMehta@usa.doj.gov)>; Moeser, Molly (CRM) <[Margaret.Moeser@usdoj.gov](mailto:Margaret.Moeser@usdoj.gov)>; Cooch, Peter (CRM) <[Peter.Cooch@usdoj.gov](mailto:Peter.Cooch@usdoj.gov)>; Sophia G. Kielar <[skielar@guhapllc.com](mailto:skielar@guhapllc.com)>

**Subject:** [EXTERNAL] Re: Allam

And to be clear, we ask that you only include this correspondence if the Court gives you permission to file a sur reply if that is what you seek.

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**From:** Samidh Guha <[sguha@guhapllc.com](mailto:sguha@guhapllc.com)>

**Sent:** Wednesday, November 1, 2023 5:16:22 PM

**To:** Siegel, Jonathan (USANYE) <[Jonathan.Siegel@usdoj.gov](mailto:Jonathan.Siegel@usdoj.gov)>

**Cc:** Mehta, Hiral (USANYE) <[Hiral.Mehta@usdoj.gov](mailto:Hiral.Mehta@usdoj.gov)>; Moeser, Molly (CRM) <[Margaret.Moeser@usdoj.gov](mailto:Margaret.Moeser@usdoj.gov)>; Cooch,

Peter (CRM) <[Peter.Cooch@usdoj.gov](mailto:Peter.Cooch@usdoj.gov)>; Sophia G. Kielar <[skielar@guhaplhc.com](mailto:skielar@guhaplhc.com)>

**Subject:** Re: Allam

To echo your previous request of us, please include this email correspondence in its entirety to any submission to the Court rather than characterize the exchange.

Thanks,  
Samidh

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**From:** Siegel, Jonathan (USANYE) <[Jonathan.Siegel@usdoj.gov](mailto:Jonathan.Siegel@usdoj.gov)>

**Sent:** Wednesday, November 1, 2023 4:50:02 PM

**To:** Samidh Guha <[sguha@guhaplhc.com](mailto:sguha@guhaplhc.com)>

**Cc:** Mehta, Hiral (USANYE) <[Hiral.Mehta@usdoj.gov](mailto:Hiral.Mehta@usdoj.gov)>; Moeser, Molly (CRM) <[Margaret.Moeser@usdoj.gov](mailto:Margaret.Moeser@usdoj.gov)>; Cooch, Peter (CRM) <[Peter.Cooch@usdoj.gov](mailto:Peter.Cooch@usdoj.gov)>; Sophia G. Kielar <[skielar@guhaplhc.com](mailto:skielar@guhaplhc.com)>

**Subject:** RE: Allam

Thanks. We'll inform the Court of your position.

Jonathan Siegel  
Assistant United States Attorney  
Eastern District of New York  
271A Cadman Plaza East  
Brooklyn, New York 11201  
Tel: 718-254-6293  
Email: [Jonathan.Siegel@usdoj.gov](mailto:Jonathan.Siegel@usdoj.gov)

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**From:** Samidh Guha <[sguha@guhaplhc.com](mailto:sguha@guhaplhc.com)>

**Sent:** Wednesday, November 1, 2023 4:48 PM

**To:** Siegel, Jonathan (USANYE) <[JSiegel@usa.doj.gov](mailto:JSiegel@usa.doj.gov)>

**Cc:** Mehta, Hiral (USANYE) <[HMehta@usa.doj.gov](mailto:HMehta@usa.doj.gov)>; Moeser, Molly (CRM) <[Margaret.Moeser@usdoj.gov](mailto:Margaret.Moeser@usdoj.gov)>; Cooch, Peter (CRM) <[Peter.Cooch@usdoj.gov](mailto:Peter.Cooch@usdoj.gov)>; Sophia G. Kielar <[skielar@guhaplhc.com](mailto:skielar@guhaplhc.com)>

**Subject:** [EXTERNAL] Re: Allam

Hi Jon,

We do not consent to the government's filing a sur reply in this matter.

However, we would like to review information underlying the assertions that are contained your email below. This will certainly help us assess these matters further and, if appropriate, reach out to the court as necessary.

Happy to discuss further by phone if helpful. And if you can just let us know when to expect additional information, we can plan accordingly our schedules to review and respond promptly.

Samidh

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**From:** Siegel, Jonathan (USANYE) <[Jonathan.Siegel@usdoj.gov](mailto:Jonathan.Siegel@usdoj.gov)>

**Sent:** Tuesday, October 31, 2023 5:27 PM

**To:** Samidh Guha <[sguha@guhapl.com](mailto:sguha@guhapl.com)>

**Cc:** Mehta, Hiral (USANYE) <[Hiral.Mehta@usdoj.gov](mailto:Hiral.Mehta@usdoj.gov)>; Moeser, Molly (CRM) <[Margaret.Moeser@usdoj.gov](mailto:Margaret.Moeser@usdoj.gov)>; Cooch, Peter (CRM) <[Peter.Cooch@usdoj.gov](mailto:Peter.Cooch@usdoj.gov)>

**Subject:** Allam

[EXTERNAL EMAIL]

Samidh,

We spoke to OIA about the extraditions from Lebanon you cited in your reply brief and exhibits as examples of Lebanon extraditing Lebanese citizens. OIA checked their records and confirmed that Mohammad Hassan Hammoude (extradited in 2002) and the individual extradited for child pornography in 2017 were both not Lebanese citizens -- the child pornography offender was a U.S. citizen only and Hammoude was U.S. citizen born in Kuwait. As for Ali Salamey, he was not extradited; he voluntarily returned to the United States. See 19-CR-298 (M.D. Fla), ECF Dkt. 250 at 14 ("When DS was picked up by authorities to be brought back to Lebanon, Mr. Salamey could not be seized by the United States and could have remained in that country. Instead, knowing that he faced imprisonment upon arriving in the United States he came back voluntarily in order to protect his son.").

Could you please let us know by end of the day tomorrow if you consent to our filing a sur-reply to address those factual points? Alternatively, please let us know if you'd instead like to file your own letter stating that after discussing the facts with us you are withdrawing your argument that Lebanon has previously extradited Lebanese citizens.

Best,  
Jon

Jonathan Siegel  
Assistant United States Attorney  
Eastern District of New York  
271A Cadman Plaza East  
Brooklyn, New York 11201  
Tel: 718-254-6293  
Email: [Jonathan.Siegel@usdoj.gov](mailto:Jonathan.Siegel@usdoj.gov)